

# **EXHIBIT 3**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

BERNADINE T. GRIFFITH	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 03-CV-12573-EFH
	)	
ONEBEACON INSURANCE COMPANY,	)	
ONEBEACON AMERICA INSURANCE	)	
COMPANY, MICHAEL A. SISTO, and	)	
KAREN ALLEN HOLMES	)	
	)	
Defendants.	)	
	)	

**DEFENDANTS' RULE 26 DISCLOSURE STATEMENT**

Pursuant to Fed. R. Civ. P. 26(a)(1), the defendants OneBeacon Insurance Company and OneBeacon America Insurance Company (“OneBeacon”), Michael A. Sisto (“Sisto”), and Karen Allen Holmes (“Holmes”) (collectively, the “defendants”) submit the following information. This initial disclosure is based upon information reasonably available at this time. The defendants reserve their right to alter and/or supplement this information based upon the results of discovery and/or further investigation.

- A. Pursuant to Fed. R. Civ. P. 26(a)(1)(A): the name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information.

1. Tom Danforth  
OneBeacon Insurance Group
2. Barbara Medeiros  
OneBeacon Insurance Group
3. Joanne Murphy  
OneBeacon Insurance Group
4. Monica Scanlon  
Former employee, OneBeacon Insurance Group

As human resources employees during the plaintiff's employ with OneBeacon, the above listed individuals have knowledge and/or information regarding the plaintiff's employment with OneBeacon.

**All parties listed above may only be contacted through counsel for the defendants.**

5. Albert Battistini  
10 Capitol Island Road  
Southport, ME 04576
6. Ed Freeman  
80 Ronald Drive  
Tewksbury, MA 01876
7. Thomas Ford  
295 Beacon Street # 3  
Boston, MA 02116
8. John McLaren  
65 Waterman Road  
Canton, MA 02021
9. Cathleen Moynihan  
145 Oakridge Avenue  
North Attleboro, MA 02760
10. Bob Petrarca  
94 Brayton Avenue  
Cranston, RI 02920
11. Lisa Studholme  
24 Greenwood Village Street  
North Easton, MA 02356

12. Nancy Snyder  
111 Rocky Pond Road  
Plymouth, MA 02360

13. Lenore Woodley  
90 Rockmeadow Road  
Westwood, MA 02090

The above listed individuals have knowledge and/or information regarding the plaintiff's tenure with OneBeacon.

14. Bernadine Griffith

15. John Garrison, Ph.D.  
41 Mall Road  
Burlington, MA 01805

16. Susan Moner, M.D.  
41 Mall Road  
Burlington, MA 01805

17. Physicians of the Lahey Clinic  
41 Mall Road  
Burlington, MA 01805

The above listed individuals have knowledge and/or information regarding the allegations in the plaintiff's Complaint.

18. All individuals identified by either party through initial disclosures, written discovery, or depositions

19. All necessary foundational witnesses, including custodians of records.

B. Pursuant to Fed. R. Civ. P. 26(a)(1)(B): a copy of, or a description by category and location of, all documents, data compilations, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment.

The following documents are in the possession, custody, or control of the defendants or their attorneys: plaintiff's personnel file; the personnel files of current and former OneBeacon employees; information relating to the plaintiff's health; the

plaintiff's pleadings and submissions to the Massachusetts Commission Against Discrimination and/or the Equal Employment Opportunity Commission; documents relating to benefits provided OneBeacon's employees; documents related to OneBeacon's policies, practices, and procedures; and documents pertaining to the employment relationship between OneBeacon, its employees, and the plaintiff.

C. Pursuant to Fed. R. Civ. P. 26 (a)(1)(C): a computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.

The defendants have made no such claim.

D. Pursuant to Fed. R. Civ. P. 26(a)(1)(D): for inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of the a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

The defendants have no such insurance policy applicable to this action.

Respectfully submitted,

ONEBEACON INSURANCE CO.,  
ONEBEACON AMERICA INSURANCE CO.,  
MICHAEL A. SISTO, and  
KAREN ALLEN HOLMES

By their attorneys,



Keith B. Muntyan (BBO # 361380)  
Leah M. Moore (BBO # 658217)  
MORGAN, BROWN & JOY, LLP  
One Boston Place  
Boston, MA 02108  
617-523-6666

Dated: July 6, 2004

**CERTIFICATE OF SERVICE**

I hereby certify that on July 6, 2004, I caused a true and correct copy of the foregoing to be served by facsimile and first class mail upon Kathleen J. Hill, Esq., Attorney for Plaintiff, Law Office of Kathleen J. Hill, 92 State Street, Suite 700, Boston, Massachusetts 02109, being the address designated by said attorney for service of all pleadings.

Dated: July 6, 2004



Leah M. Moore